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CIA CAREER COUNCIL

13th Meeting

Thursday, 15 September 1955

DCI Conference Room

Administration Building

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Present


Harrison G. Reynolds
Director of Personnel
Chairman

Sherman Kent
Acting DD/I
Alternate for DD/I, Member


Lyman B. Kirkpatrick
Inspector General
Member


Director of Communications
Member

25X1A9a


Acting DDP/P
Alternate for DD/P, Member

25X1A9a


Deputy Director of Training
Alternate for D/TR, Member

25X1A9a

Lawrence K. White
Deputy Director (Support)
Member


Executive Secretary

25X1A9a


Reporter

25X1A9a

Guests

Lawrence R. Houston, General Counsel

25X1A9a

 Deputy General Counsel

Walter Pforzheimer, Legislative Counsel

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Guests (Continued)

TASK FORCE ON THE FITNESS REPORT

Members:

[REDACTED] t/s
SA/DD/I
/DD/P
(n, above)

25X1A9a

Consultants:

[REDACTED] ce of Personnel
E Staff/TR
, Office of Personnel
ce of Personnel

25X1A9a

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C O N T E N T S

<u>Agenda Item No.</u>	<u>Subject</u>	<u>Page</u>
1	Approval of Minutes of 12th Meeting	1 ✓
3	Legislative Program [Continued from 12th Meeting]	2 ✓
-	Staff Study re Positions for Career Development Program	5 ✓
-	Staff Study re Reinsurance of Voided Commercial Insurance Due to Action Taken by Employees Under Agency Orders	9 ✓
4	Report of the Fitness Report Task Force	10

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. . . The 13th meeting of the CIA Career Council convened at 4:05 p.m., Thursday, 15 September 1955, in the DCI Conference Room, Administration Building, with Mr. Harrison G. Reynolds presiding . . .

MR. REYNOLDS: The meeting will please come to order.

Will everyone who has not read the minutes of the last meeting, please read them now.

. . . A few minutes were then allowed for study of minutes of 12th meeting of the Career Council by those members who had not had an opportunity to read them prior to this meeting . . .

MR. REYNOLDS: I will assume the minutes have now been read by the members of this Council.

+ Item 2 on the agenda I would like to ignore for a moment because it can be studied later and is not as important as some of the other matters we should take up today.

Are there any comments, errors, omissions or suggestions on the minutes of the last meeting, or do I hear a motion for their approval?

~ MR. HOUSTON: I'd like to make some comments on some items that were left open at the last meeting, just to inform the Council. The first one is on paragraph 4e on page 2 of the minutes - the change from "hospital or clinic" to read "suitable medical facility" was adopted. I went back to Dr. Tietjen to make sure we had a good justification, and I believe we have a very good one. I would like to make that stand.

+ On paragraph 4f on page 2, Dr. Tietjen is in agreement with us now that probably the language as drafted and presented to this group would be the language we would have to use. We discussed it at some length.

x On paragraph 4o on page 4, we have had a discussion with the Bureau of the Budget and the Department of Defense and it looks as if the thing to do would be to ride on the present Missing Persons Bill, although we have the alternative, if anything goes wrong, of putting it in our own Bill at the last minute.

+ MR. PFORZHEIMER: One additional point came up in the last few days, and that is the Personnel Office and the Comptroller feel the problem of

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educational allowances for foreign nationals - [REDACTED] should be handled by legislation, if possible, and it is our reading of the proposed legislation which was approved by the Council last week that it would cover those employees if desired, and that no further change would be necessary.

MR. REYNOLDS: Any further comments? Is there a motion for the approval of the minutes?

MR. KIRKPATRICK: So moved.

MR. REYNOLDS: It has been moved and seconded that the minutes of the 12th meeting be approved. Those in favor signify by saying "aye". Contrary minded? Motion carried.

Item 3 on the agenda - Legislative Program. Will the General Counsel please take over?

MR. HOUSTON: The only item open, I believe, is the retirement legislation, that portion of it which we would have to go after for ourselves, without being included in the Kaplan Bill, and to be designed to give accelerated retirement for overseas service. Actually, [REDACTED], and others, 25X1A9a have done the work on redrafting this in accordance with the formula.

25X1A9a MR. [REDACTED]: It simply embodies the principles that actually were adopted by the old Career Board several years ago. There has been eliminated, however, the double credit for service at an unhealthful post, on the basis that that was patterned after the Foreign Service and they themselves have dropped that in favor of giving differentials to persons entitled to that credit, since it provides time and a half credit for periods of service abroad, and, in addition, for each such year of service the retirement age is reduced six months.

There is one item open here yet. We have inserted, for sampling purposes, a period of retroactivity. We have dated it back to 20 September 1947, which was the effective date of the establishment of CIA. There have been some thoughts it should be a different date, so the Council should give us guidance on that.

I believe that, in essence, is what this stands for.

MR. REYNOLDS: Any comments in connection with this item on the agenda, gentlemen?

25X1A9a MR. [REDACTED]: Only one, minor point. 18 September 1947 is in the

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regulations as the beginning date of CIA--if that date could be checked before this goes into law.

25X1A9a MR. [REDACTED] We will check that.

MR. KIRKPATRICK: Is that standard now across the Agency? Is that taken generally as the "beginning of time"?

MR. WHITE: I don't know whether it was the 18th or 20th of September, but I think that is the "beginning of time" on other things, like 10 years of service in intelligence--

25X1A9a MR. [REDACTED] The date on which Admiral Hillenkoetter took the oath of office--which was the official beginning of CIA.

MR. KENT: It was also the date we used on the personnel postings--

MR. REYNOLDS: It's the oldest date on our machine runs--the 18th of September--of persons in grade.

MR. PFORZHEIMER: One other question that came to mind in trying to pick this date was whether we should, for purposes of retirement, consider the CIG period from 22 January 1946, because the Security Act of 1947 provided that all personnel records, etc., of CIG, be transferred to CIA, and there is some thought that the Council would want to consider going back as far as 22 January 1946.

MR. KIRKPATRICK: Not unless it is done for everything. I think we ought to have a standard date to start with.

25X1A9a MR. [REDACTED] That date has never been used since the Council decided that 18 September would be the one, because if we go back to CIG it works a very great hardship on the DD/P, which was not brought in until 20 October 1946, rather than 22 January 1946, which is the beginning of CIG.

25X1A9a MR. [REDACTED] With respect to the DD/P elements, yes.

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MR. WHITE: And then you could get into that question of the [REDACTED] doing the same thing all during the war.

25X1A9a MR. [REDACTED] We went through that once.

MR. HOUSTON: One other change I believe was the voluntary retirement. It formerly was not allowed until they were 55 years of age, which has now been reduced to 50.

25X1A9a MR. [REDACTED] That is right.

MR. [REDACTED] May I ask what paragraph "b" does? I'm sorry, I

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can't focus on that and don't know what it means.

25X1A9a

MR. [REDACTED] This has to do with certain reduced annuities that are available--that voluntary retirement presently authorized by the Act or, in certain cases, disability retirement--and the way the wording of the present Act is set up it doesn't clearly regard certain of those dates as retirement ages, it's just as 60 years put in. So if we reduce it by this we won't also reduce it by any other period here.

MR. [REDACTED] I get it.

25X1A9a

MR. REYNOLDS: Any further comments?

MR. KENT: This is going to go down well with the Congress--this proposition?

MR. KIRKPATRICK: No.

MR. KENT: Very badly?

MR. HOUSTON: It's going to be a struggle.

MR. KIRKPATRICK: The whole Bill is.

MR. HOUSTON: This would be one of the more controversial items, I should think, but I think we have a pretty good justification.

MR. PFORZHEIMER: This does not go as far as the investigative retirements or Foreign Service retirements.

25X1A9a

MR. [REDACTED] There would be very few persons who could retire at age 50 under this formula. You would have to have started at age 17 and have spent most of your service abroad--

25X1A9a

MR. [REDACTED] If a man spent 20 years abroad his benefits would be roughly equal to the Foreign Service. So let's take the average case of 10 years of service abroad--he would get about half the benefits that the Foreign Service would.

25X1A9a

MR. [REDACTED] With 20 years' service abroad he would be reduced from 62 to 52, but there would be very few people that would have 20 years of total service abroad. So it's almost impossible to retire at age 50 under this formula, but it does reduce it. We estimated sometime ago an average, in the DD/P, of around 55, with a reasonable amount, let's say 10 years, of overseas service during their entire career.

MR. REYNOLDS: Any further comments, gentlemen? If not, do I hear a motion approving this suggested addition to the legislative package?

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MR. KIRKPATRICK: So move.

MR. REYNOLDS: It has been moved and seconded. Those in favor, signify by saying "aye". Contrary minded? The motion is carried.

On the last tab of your minutes, gentlemen, is the next item, which we are putting in here as item 4 of the agenda, just before tab A, and this concerns the Career Development Program, both the senior and junior programs. [Indicating Staff Study addressed to Chairman, CIA Career Council, Subject: Positions for Career Development Program, dated 15 September 1955, signed by [REDACTED] DD/Pers/PD.]

25X1A9a

Mr. [REDACTED] has asked us for action on the group listed in tab A, starting with a man named [REDACTED] on page 2 at the bottom of tab A. There are no positions in the new ceiling for these Career Development slots. I had a brief talk this morning with Colonel White on this subject, and maybe he would like to comment now on this.

25X1A9a

COLONEL WHITE: I hadn't read the paper Harry mentioned--this morning--but whatever formula is going to be worked out I feel sure it should be worked out within the framework of the overall Agency ceilings that were set. The Director was very firm in setting that ceiling. Together with Harry--we offered the Director several ways in which he might approach the ceiling problem, and the system which he accepted was the one which provided for the least increase. So I don't know if he is going to be inclined at all to raise that in any way. I haven't read this paper, though. I think whatever we do has to be worked out within the framework of the overall Agency ceiling, and that the Director would not approve or feel kindly toward our recommending that this be in addition to the overall Agency ceiling.

25X1A9a

MR. [REDACTED] I don't think we need more slots over and above the Agency ceiling. It's an adjustment which needs to be made in order to get these two programs out of the bind that they are in. For example, there are three persons, as you will see on tab A, at the top of the page: [REDACTED] from Training, and [REDACTED] from ORR, [REDACTED] from OCI and [REDACTED] from OSI--all of these tours in Career Development slots have expired. The job is finished.

25X1A9a

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MR. KENT: Where are the bodies?

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MR. [REDACTED] The bodies are floating around wondering what slot

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they are going to be in, and the components which agreed to take them back no longer have slots to take them back, so there is an adjustment of responsibility for the slots and where the slots are located to permit actions to take place. FE, for example, with whom I just talked to today, is not able to take back [REDACTED] who are ready to go back.

COLONEL WHITE: May I ask why they are not ready to take them back?

MR. [REDACTED] Because they no longer have slots for them.

COLONEL WHITE: That's no reason.

MR. KIRKPATRICK: I agree.

MR. [REDACTED] I know it's no reason but they are on these CD slots, which means that for the ones that are ready to go into the program, including [REDACTED] at the National War College, there is no slot for them to go into because the others can't vacate the slots.

COLONEL WHITE: If these people were good enough to be recommended to go into the Junior Career Development Program, then it would seem to me somebody ought to be glad to get them. We will have thousands of situations that will come up like this.

MR. [REDACTED] These are senior, not junior--

COLONEL WHITE: We will have literally thousands of cases that are going to come up in the next couple of years, where a component of the Agency is going to say, "Yes, I would like to have this man but I don't have a place to put him." I think the only solution is to say, "Put him wherever you want him and double-slot him, and then with your turnover you absorb him." I don't think there is any other solution to the thousand cases that are going to come up that just don't happen to be Career Development slots.

MR. KENT: Am I correct in believing that these men are sort of in the market for a job at the moment?

MR. [REDACTED] Excuse me, - we're taking all of our people. Our people are all coming back.

MR. KENT: They look like pretty good buys.

COLONEL WHITE: If people don't want them there is something wrong with Junior Career Development. You have the same problem on the JOT program. We have had 20-odd JOT's who have finished their JOT training and are ready now to carry their full load in some component of the Agency, but we can't

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continue to carry them in some JOT slot. They must be transferred even if it temporarily puts a particular component in excess of its established ceiling, in order that we can free those slots to bring in more JOT's. That's the only way we can solve it.

25X1A9a MR. [REDACTED] If the Council will authorize double-slotting in order to free the log jam--

MR. KIRKPATRICK: I don't think that is any responsibility of the Career Council.

COLONEL WHITE: I will authorize it, if it is my responsibility.

MR. KIRKPATRICK: Red, in authorizing this I'd also like to have somebody look at the units and see what is the matter with them.

25X1A9a MR. [REDACTED] They can't take [REDACTED] on 1 October because they
25X1A9a don't have a slot.

COLONEL WHITE: I don't think this is a Career Council problem. This is a straight T/O problem, which is something I am responsible for through the Management Staff.

25X1A9a MR. [REDACTED]: It's only a Career Council problem because of the JCD, and because these programs were previously allocated 40 positions in the senior program and 30 in the JCD, and 29 are now allocated to the senior program and four to the JCD. And on the last page of this table here, you will see that there are four people who are approved for the JCD program while this slot business was in motion, and there are now no longer slots for those four people in the JCD program.

25X1A9a MR. KIRKPATRICK: You have [REDACTED] Isn't that " [REDACTED] 25X1A9a

25X1A9a [REDACTED]
MR. REYNOLDS: Yes, it's [REDACTED] " 25X1A9a

COLONEL WHITE: Maybe we might want to take a look, or this requires some study to see whether there should be a realignment of the allocation as to JCD's. That might be in order. But I think the mere placing of these four people is something we don't need to bother with here.

MR. REYNOLDS: May I crystallize this, gentlemen, by asking if it meets with the approval of the Council to give this to the DD/S to instruct the Director of Personnel to make these arrangements for slotting, etc., subject to his approval?

MR. KIRKPATRICK: Agree. And, Harry, I'd like to make one addition

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SECRET

to that, and that is I think it will have a frightful affect on the morale of our Career Service and the people going into Career Development slots if the word got around that they weren't going to get back into their old units because the slots weren't available. We have a bad enough situation with people saying, "I don't want to change assignment because I might not find my desk there when I get back." But if word gets around--here is something sponsored by the Career Service, and here is one fellow that has been in the program eight months, and after eight months his Division says, "We can't take him back because we haven't got a slot"--

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MR. [REDACTED] The individuals are the ones that are calling me to find out what is going to happen to them. That is why I bring it to the Council. I have no one to tell them to go to.

25X1A9a

MR. KIRKPATRICK: Von says the DD/I has been taken care of.

MR. [REDACTED] There has been no question on ours coming back.

25X1A9a

DR. [REDACTED] This is the first time this has come up as a problem. If you are getting calls transfer them to us so we know what the problem is.

MR. REYNOLDS: With Mr. Kirkpatrick's amendment, is that satisfactory?

COLONEL WHITE: May I understand the motion, Harry?

MR. REYNOLDS: I am talking about arranging the mechanics of the thing, and, subject to your approval, I will so do. And Mr. Kirkpatrick's amendment on it is substantially this, as I understand, that there is to be no statement made of any kind, by the Council or anybody in it, that anybody is going to be without a job if they have been good enough to be selected for the Career Development Program.

MR. KIRKPATRICK: Or, in essence, saying, "Let's get the machinery oiled so it works the way it should."

MR. REYNOLDS: Okay, that will be done.

25X1A9a

MR. [REDACTED] Mr. Chairman, I don't want to complicate the life of the Council, but I wouldn't know what to do about these last four persons for whom there is no slot available. They have been selected for the JCD Program but there aren't any slots into which they can go.

MR. REYNOLDS: They will have to be double-slotted into the office

SECRET

Matt Baird and I--the first one we named--they will have to be double-slotted into that, and when it comes time to change they will have to be double-slotted into the next office. That is all we can do. Isn't that correct, Red?

COLONEL WHITE: That was what was bothering me. You have 29 slots in the senior program and only four in the junior program, so maybe there needs to be a little adjustment there. Maybe we can make a readjustment within the overall total without getting into the complication of a personnel action every time a man moves from one office to another in his training. I don't know. We ought to look into that.

MR. REYNOLDS: That, again, concerns the mechanics of the thing, which I can take up and submit to you for approval, within the ceiling.

COLONEL WHITE: Yes.

MR. REYNOLDS: Any further comments or questions on this one? I think we can work it out alright.

Before we go to item 4 on the agenda, the Fitness Report, I'd like to submit to you the study on re-insurance, which is the second item on your agenda, just prior to this one on career development. [Indicating Staff Study addressed to Chairman, CIA Career Council, Subject: Reinsurance of Voided Commercial Insurance Due to Action Taken by Employees Under Agency Orders, dated 15 September 1955, cosigned by [REDACTED] Deputy General 25X1A9a Counsel, and [REDACTED] Deputy Director of Personnel for Planning and Development.]

You will notice that Mr. [REDACTED] have signed 25X1A9. this paper. Maybe they would like to explain it briefly, to sort of expedite the business of the meeting.

MR. [REDACTED] The Council last week directed that the Office of Personnel and the General Counsel examine the question that was raised about re-insurance of the privately obtained policies of those persons whose policies might be voided in the event they, in carrying out orders of the Agency, run afoul of the exclusion clauses of entering war areas, declared or undeclared, or flying on a non-scheduled flight.

The first two pages of this study state the facts, which you may be interested in, and you may all know of them, but the recommendations are the pertinent point. [Reading]

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"Recommendation 1: It is recommended that this matter not be given further consideration, at this time, from the standpoint of proposed legislation.

"Recommendation 2: It is recommended that the General Counsel seek necessary clarification with the Bureau of Employees' Compensation and the Comptroller General."

25X1A9a [REDACTED] This second recommendation was to get a ruling on one particular point, namely, the payment of a re-insurance premium--does that involve or would that require that in the event of the death of the person involved, would it require the Bureau of Employees' Compensation to offset the face value of the policy against the other benefits to the decedent? That point is not cleared up.

And, lastly, this recommendation. [Reading]

"Recommendation 3: It is recommended that the CIA Career Council approve these points or principles, and should there be any technical problems the General Counsel and the Office of Personnel will study and bring back to the Council any technical problem that should warrant its consideration."

I think the conclusions on the last page, conclusions a through e, perhaps merit review by the Council.

MR. KIRKPATRICK: I move we approve this paper.

MR. REYNOLDS: There is a motion we approve this paper. Do I hear a second? It has been moved and seconded. Those in favor, signify by saying "aye." Contrary minded? Motion carried.

The next item on the agenda is the report of the Fitness Report Task Force, which was attached to your original agenda, for approval, under tab 4. The members of the Task Force are here.

You will notice, gentlemen, the recommendation at the end of the covering memorandum, paragraph 5 on page 4.

MR. KIRKPATRICK: As far as I can see there only seems to be one controversial paragraph, isn't there? And that is paragraph 5e?

MR. REYNOLDS: That is right.

25X1A9a [REDACTED] Paragraph 5e?

MR. KIRKPATRICK: As to whether it should be shown or should not be shown.

25X1A9a MR. [REDACTED] That is really the only controversy, I believe.

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SECRET

MR. KIRKPATRICK: I think the rest of it is pretty acceptable.

MR. REYNOLDS: Have the members of the Task Force any comments to make on that?

25X1A9a MR. [REDACTED]: Yes, I do. I feel quite strongly about this paragraph.

25X1A9a I think [REDACTED] has not done us fair in using the word "optional" in the last part of that sentence: "...the policy of showing be optional with the individual supervisor, with action taken explained on the form."

I have considered quite carefully how to state succinctly to you this afternoon the position I have taken as a member of the Task Force in the meetings we have held, and my position is this: The individual has a right to know where he stands, and the Agency has an obligation to improve its personnel competence by the process of regularly telling employees their competence status, and of advising and guiding for improvement where needed. So, therefore, I would change the last part of that sentence, taking the word "optional" out and saying--and this has due regard to [REDACTED] point of view--25X1A9a saying, "...and the policy of showing be mandatory except where operational considerations dictate otherwise, in which case explanation shall show on the form." End of position.

MR. KIRKPATRICK: [REDACTED] can you document that posi-25X1A9a tion as to what "operational" considerations would preclude a supervisor from showing a subordinate his Fitness Report?

25X1A9a MR. [REDACTED] I haven't talked to Mr [REDACTED] on that but, as I 25X1A9a understand it from the briefing we were given on the Task Force, his position is that in some overseas stations where there is a chief and very few subordinates, it would be unwise to ask the chief once every year to sit down and have this hot little session with a person with whom he works in that close a contact and with so few safety valves available for either one of them, if they needed them. I think that is the sum and substance of his position. I gather he has expressed it here at the Council.

25X1A9a MR. KIRKPATRICK: Well, I feel very strongly on this exactly in line with [REDACTED] statement. I think we have more personnel problems in this Agency as a result of not showing Fitness Reports to employees than from any other single factor in personnel management. Obviously, if a Fitness Report is highly favorable it should be a matter of considerable pleasure on

SECRET

the part of the supervisor and the subordinate to jointly go over the comments. Now, assuming that all men are not perfect--and that is pretty accurate--there are undoubtedly weaknesses on the part of individuals that can be assisted by the supervisor sitting down with him twice a year and, perfectly frankly, saying, "Look, old boy, you have a tendency to let your prejudices become too dominant." Or, "You are too abrupt in dealing with people"--or whatever it might be. But this is almost an epidemic in the Agency here today, particularly with the ceilings on and with everybody screaming about the pressure for people, more and more supervisors are starting to downgrade employees that were previously satisfactory. The poor individual that gets downgraded suddenly finds that he isn't getting good Fitness Reports anymore, and he doesn't know why because nobody ever told him.

I can see your point that in small stations where two or three operational officers are working very closely together, it might create a difficult situation for the station chief to sit down with one of his case officers and say, "I don't think you're worth a damn." But if we make it mandatory except for operational reasons, I would want to see, at least, that when the tour of duty for the subordinate finishes and he is taking leave of the station chief, the station chief sits down and says, "Now I want to go over this tour of duty with you. You may not like me in the future for it, but here is what I am reporting as to your performance on your tour here." I don't think any subordinate ought to complete a tour of duty and transfer to another job without it being mandatory that his supervisor tell him perfectly frankly, and show him what he puts in writing as to his performance on that job. That, I think, would obviate the objection, which I think is quite valid, where in a small station you have to live together 24 hours a day and it might create a problem, although I still would not relieve the station chief from periodically telling his subordinates when they are not pulling their weight.

25X1A9a MR. [REDACTED] That is clearly his job, and telling him what he
25X1A wants him to do to improve. To represent [REDACTED] position, since he is not here and we were briefed, on the Task Force, to do so, I think it is only fair to say there are one or two other considerations in this regard. His view, which he has spelled out in a long memorandum attached to these papers,

SECRET

is that Fitness Reports serve two purposes. One is what he calls the "privileged communication", in which you give your assessment of the individual and which you would not necessarily show to the individual. You assess certain qualities that it is best, in Dr. [REDACTED]'s view, not to wave at an individual. For example, he has taken the situation of say a person who has reached the top of his competence in a clerical position and has 20 years more to live with the organization. That person, in his view, should not be reminded once a year, or with every transfer, that he is not competent to advance. It just is a demoralizing procedure. He feels, and claims to be able to demonstrate, that we should eventually have a form which would be the basis for consultation with people in that category, which would improve the management activities of our supervisors and give them an opportunity for a realistic, useful and helpful talk with the employee, and still not impress the employee with a really quite valid, but not derogatory, "unhappy description" of that person's capabilities. This is for a lot of people who are on board. I would think in my shop [REDACTED] would have that problem. There are a certain number of people there whom we are happy to have serve year in and year out, although they are not very great nor will they advance very far.

MR. KIRKPATRICK: I think the privileged communication as Part II is acceptable if Part I is made mandatory to show the employee.

MR. KENT: I thought it was.

MR. KIRKPATRICK: I think a privileged communication as a tool of management is a sound document, but I think if you allow that, then, just from the point of view of employee rights, Part I should be mandatory that the employee see it.

MR. [REDACTED]: Well, [REDACTED]'s position, as I got it, is that Part I is well on the way to being a document you could show. He doesn't think it is yet. He thinks it would be dangerous to make this mandatory in every case.

MR. [REDACTED]: I don't believe it's quite that, Gordon. I think the word "optional" here has booby trapped us. If you will look at Part I of the Fitness Report - PERFORMANCE - under Section B, Certification: [Reading] "This report [] has [] has not been shown to the individual rated. If not shown, explain why not."

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Now, another point which I think we must consider on this to-show-or-not-to-show-issue is this: It has always been mandatory from the very beginning in the PER that the supervisor must inform his employee how he is performing. That has always been mandatory. There has never been any question about it being mandatory to inform the individual. The question of physically showing the piece of paper is the issue. Now D [REDACTED] has, 25X1A9a in my mind, pointed out and brought to the Council the mechanism whereby

25X1A9a those circumstances which Mr. [REDACTED] has recounted, and which Mr. [REDACTED] has 25X1A9a said around this table make it undesirable at that moment to physically show the form, can be waived by a proper explanation, and this explanation has to be reviewed by the reviewing official. But otherwise the intent is that this form will be shown. Now, as I say, it is perhaps a semantic problem in the Staff Study to say that it be optional. The intent is that it not be optional except under the circumstances where there is a completely valid reason for not showing it.

25X1A9a MR. KIRKPATRICK: Dr. [REDACTED] as a psychologist certainly doesn't assess your supervisor accurately, because if you make it optional about 75% will not show it.

25X1A9a [REDACTED] Who determines that?

25X1A9a MR. [REDACTED] The reviewing official.

25X1A9a [REDACTED] Let me ask a question. Is it true that this Part I is made out only when there is a change of assignment or change in supervisors?

25X1A9a MR. [REDACTED] Annually--

25X1A9a [REDACTED] It doesn't say so. It says Part I only be used--

25X1A9a MR. [REDACTED] Part I only, - not Part I "only be used."

MR. KIRKPATRICK: It is optional whether you inform him by showing the report or by other means. It is mandatory that you inform the subordinate where he stands with you.

The point I am making is this: I have seen too many supervisors say, "Well, Jack, you are doing fine." Then they write the report and they take the guy apart.

MR. KENT: Do you think the supervisor that is that much of a

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problem is going to write the straight report and say the employee is unsatisfactory and then see that it is mandatory to show it to him, and then show it to him? No, of course, he won't. He will write a favorable report. The struggle is with the supervisor rather than the mechanism. I don't think any legislation is going to improve your supervisor. I think it is going to drive a lot of them under cover.

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MR. [REDACTED] A two-part report, I think, is something of a check on that, because if Part I were mandatory to show--you would find that pretty nice, and find all the rest of it in Part II, then I think you would have a chance to go back to your supervisor and say, "Now, how about this Part I?"

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MR. [REDACTED] I think the place to correct this--because I think everybody is trying to do the same thing--is in these instructions. Instead of saying it is optional whether you inform him, it could be said: "It is the policy of the Agency that you inform him by showing the report. However, if there are reasons why this is operationally undesirable, explain." I believe there has to be some kind of an escape clause for the overseas, small station situation. There is no use saying it has to be done, and then telling people they don't have to do it.

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[REDACTED]: It just makes a lot more work, but in the military if you make a derogatory remark in a Fitness Report and don't show it to the individual, some reviewing authority way up topside sends it back to you and directs that you refer it to him, and he has to reply by endorsement.

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MR. [REDACTED] The difficulty there is to define what is a "derogatory remark."

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[REDACTED] Anything below "satisfactory"--they put a mark there.

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MR. [REDACTED] That could be done but this whole thing would have to be redesigned, because otherwise you couldn't determine what was a derogatory remark, because you could do it by innuendo, too.

MR. KIRKPATRICK: You could say for Section 1 anything rated 3 or higher--Rating No. 3, 2 or 1--and the same way right through the Sections.

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MR. [REDACTED] If you are going to make that kind of a change you better send it back for technical consideration. I believe that if the policy

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is that it be shown except under the most unusual circumstances, and those circumstances have to be explained, and the explanation accepted by the reviewing official, then I think this would work.

25X1A9a MR. REYNOLDS: Mr. [REDACTED] has made a very definite motion, gentlemen. Do you wish to consider that question, as to whether we accept his suggestion or reject it?

MR. KIRKPATRICK: I move it be accepted.

25X1A9a MR. [REDACTED] Our objective has been the same, but I think we ought to face the issue. So I would suggest that the Council consider these words, and this changes the last part of paragraph e on page 3--the one that Mr. Kirkpatrick put his finger on--"The policy of showing be mandatory except where operational considerations dictate otherwise, in which case explanation show on the form." Now, that is stronger than the one that you [REDACTED] indicating

25X1A9a Mr. [REDACTED] put in, but I'd like to put that out on the table because I think this Council ought to face the issue.

25X1A9a MR. [REDACTED] I don't object to that at all--I mean, personally. I am in agreement with you.

25X1A9a MR. [REDACTED] And I prefaced that suggested change on the policy consideration which I read to you.

MR. REYNOLDS: Are there any questions?

COLONEL WHITE: I'd like to ask a question.

25X1A9a [REDACTED], are you suggesting that this be put out on paper for the Council to scratch their heads on, and consider it at a later date?

25X1A9a MR. [REDACTED] No. Right now.

MR. REYNOLDS: It's in paragraph e. It is assumed that the recommendations of the Task Force, with this exception, have been approved. And Mr. Kirkpatrick picked out this paragraph e as being the controversial one, so this is the only one, therefore, I am assuming, as Chairman, we have to discuss pro and con.

25X1A9a MR. [REDACTED] I would like to put in one other word. Gordon has described the situation of the person who is not promotable, who has done a very good job, who is perfectly satisfactory, who even gets an "excellent" rating, we will say--the difficulty of a supervisor telling him each year

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that he has been doing all right. I don't give you that as a problem at all. I have done it with thousands of people, and there is no problem in it. The problem is with the supervisor--if he can't do it. And it's about time we face the fact that we have the right supervisor or we don't, and if we don't then let's get some new ones. End of position.

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MR. [REDACTED] I gather that the Task Force considers there were no reasons other than operational reasons that would interfere with the showing. Is that correct?

MR. REYNOLDS: That is what I gathered from the Task Force.

MR. [REDACTED] I would say so, yes.

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MR. [REDACTED] I think "operational" is a bad term.

MR. [REDACTED]: Would Dr. [REDACTED] agree with that interpretation? 25X1A9a

MR. [REDACTED] No. Dr. [REDACTED] position was that Part I of the 25X1A9a Fitness Report, although approaching the stage of development that he would think is okay to show to somebody, he doesn't think it is that good yet.

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MR. [REDACTED]: Dr. [REDACTED] would not agree with Mr. [REDACTED] for 25X1A9a example. But I think the rest of us would. 25X1A9a

MR. KIRKPATRICK: Well, I don't feel, Gordon--and I am not address- 25X1A9a ing this to you, but in the absence of Dr. [REDACTED]-I don't feel that because the form hasn't reached the highest degree of effectiveness, that that should be preclusive to showing it to anyone.

COLONEL WHITE: Is there anyone here or is the Task Force competent 25X1A9a to speak for the technicians? This seems all right to me personally, but I do go back in my mind to the time when we adopted the Fitness Report which we now have, and Dr. [REDACTED] has been among the many who have screamed since then that, "You took my work and did something with it for which it was never intended, and that is why you have a system which is not very satisfactory." Now, are we about to do that again? In other words, I would like to have the Task Force, if they are competent to speak for the technicians who worked on this, and if not, the technicians, to tell us if that is right. And it was about the same issue before, too--because Dr. [REDACTED] position was that 25X1A9a he had designed a form which was not supposed to be shown, and had he known the Council was going to demand that it was going to be shown, he would have designed it entirely differently.

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MR. [REDACTED] I am prepared to speak to this. [REDACTED] is in 25X1A9a

Hawaii, and that is why there was a Task Force. I don't say I am competent

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to represent Dr. [REDACTED] technical ability, but his chief of research
that performed all the research--Dr. [REDACTED]--is here to answer technical 25X1A9a

questions, as well as Office of Personnel technicians who worked on this. I

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believe Dr. [REDACTED] point would be, with apologies to you, General

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[REDACTED] if we adopted a position that a derogatory remark would have to
be shown, then we would have to redesign the form, because there are technical
reasons as to what constitutes a derogatory remark. That sort of thing I
believe the Council would be ill-advised to do, and go ahead without redesign-
ing the form.

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[REDACTED] I didn't propose that.

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MR. [REDACTED] I know.

On this issue of whether you show the form or not, I am

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firmly convinced that Dr. [REDACTED]--if you will look at the form itself, he
says he leaves it to the supervisor to decide whether it should be shown, but
he requires the supervisor to explain why if he did not. I think as far as I
am concerned it is almost a semantic problem as to whether you make it mandatory
with an exception or whether you make it optional with an exception.

MR. KIRKPATRICK: As a representative of the A&E Staff [REDACTED] indicating

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[REDACTED], are we going to be told we tampered with--

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DR. [REDACTED] His reaction would not be nearly as violent as his
reaction on the preceding form was. He will accept it with considerably
better grace, I am sure.

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MR. [REDACTED] This whole paper is the result of the research which
was done. I am not going to read this all to you, but here is an analysis
of 1,001 Fitness Reports--and I don't know why the number of 1,001--a compari-
son of the number shown as opposed to the number not shown, of present Fit-
ness Reports. Now you must remember that in most offices of the Agency there
are policies as to whether they should be shown or not shown. I believe the
Office of Communications has a policy, ORR has a policy, the Office of Train-
ing has a policy. In no cases, when you analyze it, did all the supervisors
follow that policy, because the supervisors feel so intensely about this issue,
as to whether it should be shown or not shown, that they go ahead and do what

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they think best.

MR. KIRKPATRICK: How do they get away with it? Aren't these reviewed?

25X1A9a MR. [REDACTED] The way we get away with a lot of things in the Agency, Kirk. That is a point which I will speak to here. The reviewing officials, from evidence, sign these en masse, without looking at them. Consequently, on this page, under paragraph 2, "For the Reviewing Official", it states:

"Record any substantial difference of opinion with the supervisor, or any other information, which will lead to a better understanding of this report."

In other words, we are trying to force the reviewing official to look at this, and he has put himself on record that he agrees or does not agree with the rating of the supervisor, because the research has shown, Kirk, that the reviewing officials are signing the reports without really reviewing them, otherwise this infraction of office policies would have been caught.

MR. KIRKPATRICK: On the 1,001 how many were shown and how many were not shown?

25X1A9a MR. [REDACTED] 498 were shown and 503 were not shown.

MR. REYNOLDS: Gentlemen, I'd like to read to you subparagraph g on

25X1A9a page 3 of Dr. [REDACTED] memorandum. [Reading]

"The greatest approval would be obtained for a form designed to show, with the policy to show unless the supervisor felt it unwise. In such an instance, he would explain on the form why he did not show the report."

25X1A9a MR. [REDACTED] That was the recommendation of all the people consulted.

That was a summary of the recommendation.

25X1A9a MR. REYNOLDS: Dr. [REDACTED] concurred in that statement, and therefore it would appear to be in order for this Council to vote as to whether or not we approve the wording submitted by Mr. [REDACTED] on paragraph "e", or not. 25X1A9a

25X1A9a MR. [REDACTED] In the Office of Training Matt finally decided the policy was to not show. One of the factors in that decision was that it does not seem always appropriate to indicate to people who are doing exceptionally well, how exceptionally well they are doing. For instance, if to me he performs in such an outstanding manner that he is superior to other people I know, I don't want to indicate he is doing that well.

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MR. KIRKPATRICK: If that isn't backing into it, I never heard it.

MR. REYNOLDS: If somebody worked for me that was that good, I'd tell him.

COLONEL WHITE: We believe this is in order except for one point. I think Gordon has an excellent point as to whether the word "operational" should stick in there, because there may be perfectly good administrative reasons why it shouldn't--

25X1A9a MR. [REDACTED] Or there could be a security or medical reason. That is why the form is designed to give the explanation, and it is the reviewing official's responsibility to either approve or not approve that explanation.

COLONEL WHITE: I'd like to ask the technician one question here.

25X1A9a In your opinion [indicating Dr. [REDACTED]], if this form as submitted and amended,
25X1A9a as proposed, is approved here today, is it your opinion that Dr. [REDACTED] would feel, or would you feel, that the form ought to be modified in some respect because of this action taken by the Council?

25X1A9a DR. [REDACTED] It is possible that it might be taken care of by whatever list of instructions is prepared to accompany it. At the beginning of the form the Administrative Officer is admonished to consult current instructions for completing this form. Presumably there would be, as with the preceding form, a sheet of more detailed instructions.

25X1A9a MR. [REDACTED] That is not anticipated.

COLONEL WHITE: What detailed instructions would you have in mind? All I am trying to get at here is to keep us from doing something which somebody would say is already haywire.

25X1A9a MR. [REDACTED] We don't anticipate additional instructions. The only place the form would have to be modified is at the top in the instructions for the supervisor.

COLONEL WHITE: Is that what you mean?

25X1A9a DR. [REDACTED] That or in whatever regulation a change was made.

COLONEL WHITE: In other words, it's just a mechanical change. Otherwise you think this would not do violence to the form in any way, is that right?

25X1A9a DR. [REDACTED] I believe so.

MR. KENT: Mr. Chairman, it seems to me that in these instructions

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and in Section B, here, the technicians have sort of hit an ingenious device. They have said it is optional whether you show this report, and then they have reminded you it is mandatory to tell them what is the matter with him, even if you don't show the report; and then they put the supervisor on the spot in Section B--"if you haven't shown it please explain here why you have not." I don't believe that by using the word "mandatory" you are going to transmute supervisors who quail before this responsibility of telling a colleague that he is no good, that you are going to keep him strictly honest. I think he is just going to start getting intellectually dishonest instead of being maybe intellectually dishonest in his interview with the employee. And it seems to me that the two cutting edges that you have here, of making the showing of this thing optional and then telling the fellow he has to explain why he didn't, is a very ingenious device to keep pressure on the man to stay honest and to show the employee the rating form.

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Now, I think that Mr. [REDACTED] suggestion of changing the

word "optional" to "It is the policy of the Agency to show"--and if you choose not to show you have to explain yourself down below here, I think the Inspector General might collect some mighty interesting explanations and in time be able to chew out some people that were directly or indirectly derelict in their duty. But I certainly don't think you are going to make angels by legislation.

MR. KIRKPATRICK: It has never succeeded. But the point I am getting at, Sherman, is let's not weaken the form. Admittedly if a supervisor is going to be dishonest on one of these forms from the point of over-rating an individual so he won't have the unpleasant task of saying, "Look, Joe, you're incompetent" --why he is going to be dishonest on it whether we make it mandatory or optional. I don't think you are going to change your supervisor, but if you make it mandatory you are going to smoke out more supervisors.

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MR. [REDACTED] It's the other way around. I think this device

will smoke out more of them.

MR. KIRKPATRICK: Don't forget, you have Part II, which is the management device, and they have a job. We are going to have many supervisors write on Part I - "He is wonderful." And on Part II - "I wouldn't have this 8-ball back."

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MR. [REDACTED] But the point is that you catch him better than if

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you put him on notice by saying "it is mandatory."

25X1A9a MR. [REDACTED] Your Task Force considered this question that Sherman has raised, very carefully, and at great length, and the embodiment of the final position was read to you by the Chairman, that is, paragraph g. I feel about this in exactly the same way as a layman fellow who was responsible for an operation, who listened at great length to his General Counsel, who told him why he couldn't use the thing, but he reserved the right to use his own good business judgment. And this is the senior policy board of the Agency in the field of personnel, and this Council should listen to the General Counsels, should listen to the technicians as hard as it can, and then make up its own mind.

I won't say anymore, Mr. Chairman. Thank you.

MR. REYNOLDS: Gentlemen, what is your pleasure?

COLONEL WHITE: We have the motion with the word "optional" out of it.

MR. REYNOLDS: It hasn't been seconded. But Mr. Kent has his suggestion to make.

MR. KENT: If you want to vote on the motion, I'll vote against it.

25X1A9a MR. [REDACTED] Mr. Chairman, I believe the policy as expressed by
25X1A9a Mr. [REDACTED] is completely consistent with what Dr. [REDACTED] is trying to do. 25X1A9a
I believe that by modifying the statement here to say that it is the policy of the Agency to show it, will achieve what [REDACTED] is trying to do, and 25X1A9a
also will 90% achieve what Mr. Kirkpatrick wants, which is to make it abundantly clear to everybody that the Agency wants the form shown. I
believe that the escape clause, which was considered--as Mr. [REDACTED] has said-- 25X1A9a
for hours and hours, and the wording in the device here by the Task Force, I believe the escape clause provides what Mr. [REDACTED] believe 25X1A9a
is necessary in overseas stations, and in the rare case where there is a medical or security problem. And then I believe the last thing that you strengthen is the regulation that the reviewing official is responsible for reviewing any explanations and certifying in here that the explanation is valid. Then I think you've got all you need.

MR. KENT: Use "it is the policy of the Agency" rather than "it is mandatory."

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25X1A9a MR. [REDACTED] I would think "it is the policy of the Agency" rather than the vinegar approach of "it is mandatory" - would catch more flies.

25X1A9a MR. [REDACTED] May I pitch one here, and that is I'd like to go back to Kirk's suggestion that at some stage the form should be shown to the fellow, though at the time of submission in some cases it shouldn't be shown, but at some later stage there should be a hoe down on the subject of where he stands. Do I understand that correctly? Then I would make the question of "optional" - whether shown at time of submission, and you would have it read on the form that this form will be shown to the individual. If it is optional whether it be shown at the time of submission, then you would have to have a tickler system for picking the ones up that are not shown at the time of submission.

COLONEL WHITE: May I make a comment on that? I was going to wait until this was over and then throw this in, but I think it is related. You are going to have to face the problem at some time, under any system, as to whether an employee has a right to review his efficiency reports. In the military, for instance, you are not shown your efficiency report, although some raters may have shown them to you, but every officer in the Service had a right to go to the Pentagon, or wherever they keep those records now, and see his fitness report forms.

25X1A9a [REDACTED] Encouraged to do so.

COLONEL WHITE: So that over a period of 10 or 15 years you could go there and see what dozens of supervisors had thought of you, and make your own evaluation of how you were doing. Now we will get cases like this, for sure, and we are going to have to face that, whether you're talking about Part I or Part II, that an employee is, somewhere along the line, going to insist that he have a right to see what his evaluation adds up to. I think that is tied into Gordon's problem, and the reason I want to speak to it now. It might be that facing that problem would be the way to solve the problem of eventually showing it to him, Gordon, because otherwise I don't know how you are going to decide.

25X1A9a MR. [REDACTED] Furthermore, it would give supervisors more ways out. I think the language Rud proposed, I would say is good.

25X1A9a MR. [REDACTED] One other technical point which we haven't mentioned

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is that there are upwards of 200 persons, I would judge, whose senior supervisor is in Washington and they are in [REDACTED] or some- 25X1A6a
where, and how are you going to show it to them when they are a thousand miles away? So you have to have an escape clause.

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[REDACTED] I'd make it mandatory and they could come back by dispatch and say, "For the following reasons I don't think it is advisable to show this Fitness Report" - and if the reasons were valid we could say, "Okay, don't show - or do show." That concerns only the senior people, because you can't come in from a two-man station and one agent is rating a GS-7. 25X1A

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MR. [REDACTED]

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[REDACTED] which were analyzed, and remember that many of them were overseas reports and therefore they are a different problem--77 were shown and 38 were not shown. Now in Training where the policy has been consistent, 5 were shown in spite of the policy that they shouldn't be shown; and in ORR where the policy is they should be shown, some were not shown. That is what we were talking about. This we believe will solve that problem, where people don't really have the mechanism, at the moment, of carrying out an Agency policy because it has never been expressed before that it should be shown.

MR. REYNOLDS: I am going to ask the Inspector General to rephrase the motion.

MR. KIRKPATRICK: I think the instructions on Part I should read that it is the policy of the Agency to show this report to the subordinate, and if you don't do so to indicate here why you have not done so. I think the exact wording could be left up to the Assessment and Evaluation Staff, and I would so move.

MR. REYNOLDS: It has been moved and seconded. Those in favor signify by saying "aye." Contrary minded? Motion carried.

MR. KIRKPATRICK: I think, Mr. Chairman, with that slight modification, we can then move that the recommendations of the Task Force be approved.

MR. REYNOLDS: You have heard the motion, gentlemen. Do I hear a second? It has been moved and seconded. Those in favor signify by saying "aye." Contrary minded? Motion carried.

MR. KIRKPATRICK: One nit-pick I'd like to make. Why is Annex B classified when there are only two words there--in the second paragraph they

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25X1A9a mention CIA, and then Dr. [REDACTED] has signed it, with his title. Those are the only classified items in it. The rest of it could be published in the Journal for Personnel--

25X1A9a MR. [REDACTED] He would like to do that, very much, as a matter of fact, because there is nothing in any fitness evaluation system that has ever been devised, like this report, or believed to be as effective. I say that advisedly. The technicians believe this is better than anything anybody has ever had before.

May I call your attention to one thing? And I think you should look at that particularly, if you will. It's on the back of the Fitness Report, Part I, Performance, where there is a completely brand new device in the annals of efficiency ratings, for rating specific duties according to "good", "bad" or "indifferent." No person can be the same across the board. In other words, he is a fine case officer maybe, but a poor administrator, or a top-notch briefer but not so good on translating German, or what have you. And this allows discrimination within the frame of reference of what the guy is supposed to do. And this gets away from the very invidious practice of saying, "This man is a superior man." There is no "superior man" for everything. Some people are good taxi drivers and some are good branch chiefs. So you can't say a man is good for everything. This helps to say what he is good for, which is the important thing you can't get at, and it is brand new in the whole system of evaluations.

MR. KENT: Well, Mr. Chairman, this motion having been passed, does this close the books on comments on the forms?

MR. REYNOLDS: No, if you wish to make any comments.

MR. KENT: One minor thing. In Part II of the Fitness Report, under Section G, where you are asked to estimate the employee's potential to assume greater responsibilities, it seems to me there are all degrees of confidence in one's estimate, and you may be asked to make this estimate after you have known the employee ten years or you may be asked to make the estimate when you have known him only ten days or a few months. And I just raise for the consideration of the technicians whether in Section G you might not also have another box in which you ask the rater to rate his own degree of confidence in his judgment. It seems to me some raters are going to say, "Well, my

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estimate ranges from rating number 2 to rating number 5"--and how is anybody going to use that spread of judgment?

MR. KIRKPATRICK: Actually, Sherman, you have put your finger on the hidden weapon. This is actually more of a device to rate supervisors than employees.

MR. KENT: Well, I can imagine confronting this problem and being unable to justify a single rating, whether I give him a No. 3 rating or a No. 6 rating; whereas if you told me that I could also state my degree of confidence in my judgment, I would say, "I'll give him a No. 6 but my degree of confidence is so and so."

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MR. [REDACTED] Would this solve the problem, in part, Sherman, if there was a box here asking: How long have you known this individual?--which would give a measure of judgment; in other words, if you have known the individual in a work situation for three months or for three years.

MR. KIRKPATRICK: Known or supervised?

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MR. [REDACTED] I think that wording could be worked out.

COLONEL WHITE: Wouldn't Sherman's point be taken care of in subsection 3 under Section G, on the back of the form? It seems to me that would be the place to say you didn't know the man well enough. There is a box there for comments, and you can make any comments you want to make. It seems to me that would be the place to qualify anything.

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MR. [REDACTED] We can put in here "comments concerning potential, including degree of competence or degree of knowledge that you bring to bear with respect to this individual" - or something of that sort.

COLONEL WHITE: If you say "including" then other people would have ten other things. If you leave it this way it's broad enough to catch everything. I'd leave it the way it is.

MR. REYNOLDS: Gentlemen, we will put the two items of unfinished business on our agenda for a future meeting. If there is no further business, the meeting stands adjourned.

. . . The meeting adjourned at 5:20 p.m. . . .

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